

Exhibit 2-A

Gnehm Transcript

*COURTNEY LINDE, et al. VS.
ARAB BANK, PLC*

*EDWARD W. GNEHM, JR. (DE BENE ESSE)
March 30, 2012
CONFIDENTIAL*



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Original File 100071B.TXT

Min-U-Script® with Word Index

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1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF NEW YORK

3 -----X
COURTNEY LINDE, et al.,

4 Plaintiffs,

5 - against -

6 ARAB BANK, PLC,

7 Defendant.

8 CASE NO.: CV 042799

9 -----X
PHILIP LITTLE, et al.,

10 Plaintiffs,

11 - against -

12 ARAB BANK, PLC,

13 Defendant.

14 CASE NO.: CV 045449

15 -----X
(Caption continues on next page)

16 * * * C O N F I D E N T I A L * * *

17 1101 New York Avenue, NW
Washington, DC

18 March 30, 2012
12:09 p.m.

19 Videotaped De Bene Esse Deposition of
20 EDWARD W. GNEHM, JR., before Lee Bursten, Registered
21 Professional Reporter, Certified Realtime Reporter,
and Notary Public in and for the District of
Columbia.

22
23 ELLEN GRAUER COURT REPORTING CO. LLC
24 126 East 56th Street, Fifth Floor
New York, New York 10022
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25 REF: 100071B

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 Australia?

3 A One year.

4 Q And what happened at the end of that year?

5 A Everyone will remember that in the year
6 2000, there was a presidential election. President
7 Clinton left office in January. A new President,
8 Bush, came into office. And since all ambassadors
9 serve at the will of the President, any President has
10 the right, at any point in time, frankly, but usually
11 at a change in administrations, to review who he
12 wants at different posts representing him. In this
13 particular case, the President had a person that he
14 wanted to be his ambassador in Australia, and that
15 led to my transfer.

16 Q And where were you transferred?

17 A I was transferred to Amman. I remember
18 vividly the phone call from Secretary of State
19 Powell.

20 Q This is Colin Powell?

21 A Colin Powell, telling me that he had been
22 baffled from the moment he got into office as to why
23 this person that he knew so well from the Kuwait days
24 when he was Chairman of Joint Chiefs was sitting in
25 the English-speaking Australia. I told him I was

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 studying Aussie. He laughed and he said, "Yes, but
3 you're going to Amman, Jordan as ambassador." I
4 said, "I am?" He said, "Yes, I hope you're okay with
5 that."

6 I said, "Yes, I'm okay with that, it's just
7 that I like Australia." But yes, and so I ended up
8 moving from Australia back to Washington, of course,
9 for that same confirmation process, to Jordan. And
10 in this case, I was a nominee of President Bush.

11 Q When you had that phone call with Secretary
12 of State Colin Powell, you mentioned he had known you
13 from Kuwait days. In what capacity had he known you?

14 A I first met Secretary Powell when I was in
15 the Defense job. He at that time was Deputy National
16 Security Advisor at the White House. And I would
17 often be the person sitting behind the principal
18 Defense Department representative at National
19 Security Council meetings, deputy meetings. So that
20 I got to know him quite a bit then.

21 He then became National Security Advisor.
22 By the time that we reached the Kuwait moment of
23 history, he had become Chairman of the Joint Chiefs
24 of Staff. And I continued to see him and work with
25 him as we prepared for the military buildup, and

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 ultimately the liberation.

3 Q And so was it your understanding that
4 Secretary of State Powell personally wanted you to
5 take this position as Ambassador to Jordan?

6 MR. GOELMAN: Objection. Foundation,
7 leading.

8 BY MR. HOWARD:

9 Q What did he tell you when he spoke to you
10 in that phone call?

11 A When he called me, he said Skip, I need you
12 very desperately back in the Middle East, the next
13 couple of years are going to be very difficult years,
14 I need to know -- I need to have confidence, I need
15 to have people that I know personally, that I have
16 confidence in, and I really need you in Jordan.

17 Q Did you have an understanding as to the
18 importance of Jordan as part of the US foreign policy
19 in the Middle East?

20 A Oh, certainly.

21 Q Can you describe that for us?

22 A Because I had been there as Deputy Chief of
23 Mission earlier, so I was returning to Jordan for my
24 second tour, and the importance of Jordan is
25 enormous.

1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 its west. There was a Baathi socialist regime north
3 of the country, in Syria. While the country tried to
4 maintain the best possible relations, there was a
5 history of Syrian intervention in Jordan.

6 And the Syrian acquiescence, the Syrian
7 government acquiescence and infiltration, both to
8 destabilize Jordan as well as Israel. And to the
9 south, if I might say so, a Wahhabi Saudi Arabia
10 that, while again, the Kingdom of Jordan tried to
11 maintain good relations, there was an enormous amount
12 of friction over proselytizing in the southern part
13 of the country.

14 Q Just to complete the record of your
15 employment, for how long did you remain as the US
16 Ambassador to the Kingdom of Jordan?

17 A Three years.

18 Q And that ended in 2004?

19 A Correct.

20 Q And that's when you took retirement from
21 the Foreign Service?

22 A I did opt to retire.

23 Q Did you ever -- during your 36 years'
24 tenure in Foreign Service in the Department of State,
25 did you ever receive any awards for your service?

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 A I did. I received a number of awards. I
3 received the Presidential Distinguished Service Award
4 in 2000.

5 Q What was that for?

6 A That was for my service as Director General
7 of the Foreign Service, and also my prior services in
8 both New York and Kuwait. I received the Secretary
9 of State's Distinguished Service Award for my three
10 years in Jordan when I retired. This was directly
11 related to the support which I and the embassy gave
12 for the military effort in Iraq from 2003 to 2005,
13 actually, which began in 2002.

14 I received a number of other awards, but I
15 think perhaps the two that mean most to me -- or also
16 mean a lot to me were two awards from two different
17 Secretaries of Defense, from Weinberger for my time
18 there as Deputy Assistant Secretary of Defense, and
19 from -- I'm sorry, I forgot the other Secretary of
20 Defense -- for my service in Kuwait in support for US
21 forces in Kuwait.

22 Q And that was during the liberation?

23 A Yes, during the liberation.

24 Q We're going to turn now to a more detailed
25 discussion of your role as Ambassador of the Kingdom

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 two and between the two governments in the course of
3 a visit.

4 BY MR. HOWARD:

5 Q Did you personally have discussions with
6 King Abdullah about the issue of terrorism?

7 A I had an incredible number of meetings,
8 conversations I should say, with the King on the
9 issue of terrorism. It was -- if I might just note,
10 that I arrived in Amman, Jordan September 10th.

11 Q 2001?

12 A Of 2001.

13 Q The day before the World Trade Center
14 bombings?

15 A The evening before the World Trade Center
16 bombings. I say that because it dramatically defined
17 the issues I was going to have to deal with for the
18 next several months constantly, and then derivatively
19 throughout my tour, which was terrorism and attacks.

20 MR. GOELMAN: I'm going to move to strike
21 as nonresponsive to the question of whether or not he
22 personally had discussions with King Abdullah.

23 BY MR. HOWARD:

24 Q Let me ask you this, Ambassador. What was
25 the first conversation you had with King Abdullah on

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 any topic after your arrival as US Ambassador to
3 Jordan September 10th, 2011?

4 A Yes, I was going to mention that within
5 certainly no longer than 30 minutes of the first --
6 the plane hitting the first Trade Tower, I received a
7 call from King Abdullah, who was in his plane off the
8 coast of Nova Scotia en route to Texas and then to
9 Washington. And he wanted to know what he should do.

10 And I said you do whatever the air traffic
11 controllers tell you to do at this point. He said,
12 well, I'm going to divert and go to Washington
13 because I want to be at the White House with the
14 President in front of cameras to let the American
15 public know that Muslims do not support terrorism, we
16 are against the violence that this represents.

17 And I said you can't do that, you don't
18 understand, airports are closed. I don't care, I'm
19 going, because the President and the American public
20 needs to know that we oppose these kinds of
21 terroristic activities of any sort. And I -- in
22 talking to the Queen afterwards, we finally convinced
23 him that he needed to turn around and go back to
24 London, which is what he did.

25 But his instinct was to come to Washington,

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 stand beside the President and make it clear to the
3 President and the American public that he, an Islamic
4 leader in the region, stood by the American people
5 against terrorism.

6 Q And --

7 A That was the first conversation I had on
8 the subject.

9 Q And in the months after September 11th, did
10 you have other conversations with King Abdullah on
11 the topic of terrorism?

12 A Many. And they at times related to
13 specific issues and moments. There was later in my
14 tour an unfortunate assassination of an American
15 Embassy employee by terrorists who were affiliated
16 with Zarqawi, a fairly famous name at the time, and
17 also an Iraqi, who was later killed, by the way,
18 thanks to intelligence information that the
19 Jordanians gave us. They came in from Syria,
20 infiltrated, cased out individuals, selected him,
21 assassinated him.

22 In conjunction with that assassination, not
23 only was the King on the phone with me and did I see
24 him like two or three times that day on the issue,
25 but he mobilized all of the institutions of the

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 these reports, whether it was raised by my economic
3 counselor, who was acutely aware of the importance of
4 the Arab Bank in the economy, or by myself or others,
5 I can't recall at this moment, but it was as a result
6 of that -- of a discussion that we all believed it
7 was important that we try and find out as much as we
8 could about the bank and make that information
9 available to the US Government.

10 So I directed them to do that. They did
11 their research, they did their conversations. I had
12 my conversations with different officials. And we
13 all fed that information back into the officer who
14 was drafting the cable and produced --

15 Q Let me just stop you there. So as I
16 understand it, you directed that the work be done to
17 prepare the cable; is that correct?

18 A Yes.

19 MR. GOELMAN: I object to leading.

20 BY MR. HOWARD:

21 Q Was that something you personally did?

22 A I believe so.

23 Q And the actual research component with
24 statistics and things like that that are included in
25 the cable, was that something you participated in

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 personally?

3 A Largely done by my staff.

4 Q What personal involvement did you then have
5 with, as you put it, conversations or collecting
6 information that was then reflected in the report?

7 MR. GOELMAN: I object to form.

8 A In my conversations, as I recollected at
9 ten years later, that I did in fact have
10 conversations with the King, I had conversations with
11 the Prime Minister, I had conversations with the
12 Minister of Finance and with the head of the Central
13 Bank about the Arab Bank, what it meant to Jordan,
14 how it was a part of the banking system and under the
15 supervision and control of the Central Bank
16 Authority, and clearly from a number of them, the
17 observation that it would be absolutely impossible to
18 tolerate any actions by the Arab Bank that would have
19 supported in any way terrorism or terrorist activity.

20 I fed that into the system at the embassy
21 as we were gathering information, and it was
22 incorporated into this cable.

23 BY MR. HOWARD:

24 Q How did you feed it into the system, to use
25 your words?

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 expressed in the cable that's Exhibit B?

3 MR. GOELMAN: I object to form.

4 A The most important objective the King and
5 the country have is for there to be a peaceful
6 resolution of the Israeli-Palestinian question. And
7 any effort by any organization, including the Arab
8 Bank, that was involved in any way in the support of
9 terrorism or terrorist attacks would directly
10 contradict and in fact block success of a peaceful
11 resolution to the dispute.

12 BY MR. HOWARD:

13 Q And how did that understanding -- let me
14 ask you first, your understanding of that, was
15 that -- what was that based on? Your understanding
16 of the Jordanian viewpoint.

17 A It was based on countless conversations
18 with officials, including the King, about the
19 importance of a peaceful resolution to the stability,
20 the security, and the long-term prosperity of the
21 kingdom.

22 Q And how did your understanding of the
23 Jordanian viewpoint in that regard factor in your
24 conclusions concerning the Arab Bank as expressed in
25 the cable that's Exhibit B?

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 MR. GOELMAN: I object to form.

3 A That terrorist activity, suicide bombings,
4 whatever means in which that violence is carried out,
5 directly undermines any hope of achieving
6 reconciliation between Israelis and Palestinians.
7 And therefore, to permit any institution that's
8 operating in the country to do anything like that
9 would be incredible.

10 BY MR. HOWARD:

11 Q And the second point you raise about the
12 economic relationship between the US and Jordan,
13 again, what was that based upon?

14 A Multiple conversations, again, with the
15 King, with the Prime Minister, and with a number of
16 officials, but private citizens as well in Jordan.
17 The criticality of Jordan's close alliance
18 relationship with the United States was ever-present,
19 fundamental, basic. For security reasons, yes; but
20 particularly for economic reasons, in that the United
21 States is the major supporter of the Jordanian
22 economy.

23 That is based on a belief here in
24 Washington, on the Hill, on Members of Congress, and
25 among other people here in the administrations, both

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 MR. GOELMAN: Objection. Form, foundation.

3 A Absolutely not.

4 BY MR. HOWARD:

5 Q Paragraph 9, we looked at this at the
6 beginning of looking at the cable. This is the
7 reference, the reference to the two reports, the
8 public reports discussing Arab Bank in connection
9 with the movement of funds to purported terrorists.
10 Do you recall that?

11 A Yes.

12 Q At the very end of that paragraph, the
13 cable states, "None of these reports suggest that
14 Arab Bank management was aware of such transactions."
15 Why, if you know, was that language included with
16 this paragraph?

17 MR. GOELMAN: Objection, foundation.

18 A Simply a statement of fact, that there
19 wasn't indeed in either of those reports, to use the
20 words of the cable, suggestions that the Arab Bank
21 management was aware of such transactions.

22 Q And what was the significance to you of
23 that fact?

24 A That again, there might be an implication
25 of that, but again, it was simply inconceivable that

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 they would be involved in that for the reasons that I
3 gave earlier.

4 MR. GOELMAN: Move to strike for the same
5 reasons.

6 BY MR. HOWARD:

7 Q Ambassador Gnehm, I want you to turn now to
8 paragraph 15, the last paragraph. Actually, let's
9 turn to the last page, if you will. Just after
10 paragraph 15, there's actually a concluding paragraph
11 16, which states, "This message has been cleared by
12 ConGen Jerusalem." What does that indicate?

13 A ConGen is short internal jargon of the
14 Consulate General in Jerusalem. As a consequence of
15 history, the Consulate General in Jerusalem has
16 territorial authority, meaning its domain, if you
17 will, includes the West Bank.

18 And therefore, since we were writing a
19 cable about the Arab Bank, and the Arab Bank was
20 operating in the West Bank, in fact we make
21 references to that throughout, it is common practice
22 and it would have been the wise thing to do was to
23 send your draft to Jerusalem to see if there were any
24 factual errors or any information that they might
25 have available about the operations in the West Bank

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 Q Yes, you may.

3 MR. GOELMAN: I object to the form, since
4 that's not a question. That's not the way testimony
5 is elicited in courtrooms.

6 BY MR. HOWARD:

7 Q Please, Ambassador Gnehm, if you want to
8 add to the record as to your role in the creation of
9 this cable, please go ahead.

10 A Yes, because the conversation here that
11 says privately by the Governor was one I had with
12 him.

13 Q So with that additional notation, what was
14 the intent of communicating the content of paragraph
15 15 as you just read it from the embassy in Jordan
16 back to Washington?

17 A It is our conclusion based on our knowledge
18 of the bank and of Jordan's relationship with the
19 United States and with Israel and its policies on
20 terrorism, that it would be absolutely
21 incomprehensible for the Jordanian government to
22 permit the bank to be involved in any activities that
23 would in fact undermine the state.

24 Q And would that include any kind of policy
25 to support terrorism or any acts to support

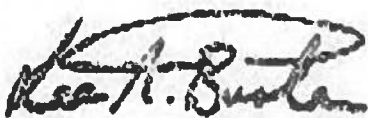
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C E R T I F I C A T E

I, Lee Bursten, the officer before whom the foregoing deposition was taken, do hereby certify that the foregoing transcript is a true and correct record of the testimony given; that said testimony was taken by me stenographically and thereafter reduced to typewriting under my direction; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 11th day of April, 2012.



Lee Bursten

NOTARY PUBLIC IN AND FOR

THE DISTRICT OF COLUMBIA

My commission expires June 30, 2014.

*COURTNEY LINDE, et al. VS.
ARAB BANK, PLC*

*EDWARD W. GNEHM, JR.
July 26, 2012
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1 UNITED STATES DISTRICT COURT

2 EASTERN DISTRICT OF NEW YORK

-----X

3 COURTNEY LINDE, et al.,

4 Plaintiffs,

5 - against -

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8 CASE NO.: CV 042799

-----X

9 PHILIP LITTLE, et al.,

10 Plaintiffs,

11 - against -

12 ARAB BANK, PLC,

13 Defendant.

14 CASE NO.: CV 045449

-----X

15 (Caption continues on next page)

16 * * * C O N F I D E N T I A L * * *

17 500 Eighth Street, NW
18 Washington, DC

19 July 26, 2012
20 9:43 a.m.

21 Videotaped De Bene Esse Deposition of EDWARD W.
22 GNEHM, JR., before Lee Bursten, Registered Professional
23 Reporter, Certified Realtime Reporter, and Notary
24 Public in and for the District of Columbia.

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 MR. WALSH: I do wish you wouldn't
3 mischaracterize Ambassador Gnehm's testimony that
4 way.

5 MR. GOELMAN: I think asked and answered is
6 a mischaracterization of the testimony, as the record
7 will reveal.

8 A I gave you an answer which I think
9 correctly provides the Court the information that I
10 had available to me that leads me to make the
11 judgmental decisions that I made.

12 BY MR. GOELMAN:

13 Q But the judgment that you make, the opinion
14 that you expressed assumes, and you can say whatever
15 the assumption is based on, but it assumes knowledge
16 by the Jordanian government of what the Arab Bank is
17 doing. True?

18 MR. WALSH: I object to the
19 mischaracterization of Ambassador Gnehm's testimony.

20 A I said I was confident that the government
21 of Jordan had the capability to be aware of what
22 organizations operating in its country were doing.

23 BY MR. GOELMAN:

24 Q Do you know what reviews of Arab Bank
25 account holders the Jordanian government performed

1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 between 2001 and 2004?

3 A Not specifically.

4 Q What about generally?

5 MR. WALSH: I object to foundation and
6 form.

7 A Generally, I know that they are -- that
8 they monitor all the banking operations in the
9 country, and that includes the Arab Bank.

10 BY MR. GOELMAN:

11 Q How do they monitor the Arab Bank
12 operations in the country?

13 A They have banking regulations which banks
14 must comply with in terms of a number of different
15 ways. I'm not privy to all of them. I'm not an
16 expert in this particular matter. But it's a matter
17 of banking records. It's a matter of access by
18 inspectors who can check into accounting and
19 transmittals. I think there's even a requirement in
20 Jordan that any amounts transferred over a certain
21 limit are automatically investigated and checked to
22 ascertain both the sender and the receiver.

23 That's an example.

24 Q Do you know what actual reviews the
25 government of Jordan performed on Arab Bank account

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 holders during this period of time?

3 A I told you, I do not know about specifics.

4 Q Do you know what actual reviews of Arab
5 Bank transactions the government of Jordan performed
6 during this period of time?

7 A I'm not a banking regulator or employee of
8 the bank. I don't know.

9 Q During your years in Jordan, on either your
10 first or second tour, did you ever visit an Arab Bank
11 branch in the Palestinian territories?

12 A No, I did not.

13 Q What about an Arab Bank branch in Jordan?

14 A No, I did not.

15 Q So if there were Hamas posters glorifying
16 suicide bombers on the walls of these Arab Bank
17 branches, you would have no way of knowing that,
18 true?

19 MR. WALSH: Objection to form. Calls for a
20 legal conclusion.

21 A I have no reason to believe there are or
22 aren't pictures.

23 BY MR. GOELMAN:

24 Q Have you ever spoken to an employee of an
25 Arab Bank branch?

1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 A Not to my knowledge.

3 Q And you spoke to Mr. Shoman, Abdul-Majid
4 Shoman, correct?

5 A Correct.

6 Q And his son, correct?

7 A Yes. Abdul-Hamid.

8 Q But did you speak to either of them about
9 terrorism?

10 A No.

11 Q Do you know the identity of any Arab Bank
12 customers in the period 2001 to 2004?

13 A Do I know of?

14 Q Do you know what the identity of any Arab
15 Bank customers were during that period of time?

16 A No.

17 Q Do you know how many specially designated
18 global terrorists were Arab Bank customers during
19 this period of time?

20 MR. WALSH: Objection to form. Foundation.

21 A No.

22 BY MR. GOELMAN:

23 Q You were hired in 2010, true?

24 A Hired?

25 Q I'm sorry. You were hired by the Arab Bank

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 Q Turn to the third page, please. Do you see
3 the Arab Bank stamp?

4 A Yes.

5 Q Is the date of this particular document
6 October 16th, 2000?

7 A Yes, it is.

8 Q US dollar currency?

9 A Yes.

10 Q The "Harakat Al Mukawamah Al Islamiya
11 Hamas"?

12 A Yes.

13 Q Do you know whether Hamas maintained a
14 website during the Second Intifada that asked people
15 to donate to an Arab Bank account to support the holy
16 warriors?

17 A No, I don't know.

18 Q Do you know whether the Saudi Committee for
19 the Intifada Al-Quds banked with the Arab Bank?

20 A No, I don't.

21 Q Do you know whether the Arab Bank
22 distributed death benefits from the Saudi Committee
23 for the Support of the Intifada Al-Quds to the
24 families of Palestinian suicide bombers?

25 MR. WALSH: I object to the form of the

1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 question.

3 A No, I don't know.

4 BY MR. GOELMAN:

5 Q Were you aware of a program that Saddam
6 Hussein sponsored before the US invasion in 2003
7 whereby he provided the family of every Palestinian
8 suicide bomber with \$25,000?

9 A I remember there was a public statement to
10 that effect, yes, carried by the news media. That's
11 my only knowledge of that.

12 Q And is it fair to say that in about 2002,
13 \$25,000 was a great deal of money to most
14 Palestinians?

15 A Yes, \$25,000 is a lot of money.

16 Q Do you know whether Arab Bank distributed
17 any of these payments of Saddam Hussein to the
18 families of suicide bombers?

19 A No, I don't.

20 MR. GOELMAN: Please mark this as Gnehm N.

21 (Gnehm Exhibit N was marked for
22 identification and attached to the deposition
23 transcript.)

24 BY MR. GOELMAN:

25 Q Professor Gnehm, this contains two

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 Committee for the Support of the Intifada Al-Quds
3 except what you've read in the newspapers?

4 A That's correct.

5 Q You've read the complaints in this case or
6 most of them?

7 A Yes.

8 Q Including those related to the allegations
9 about the activities of the Saudi Committee for the
10 Support of the Intifada Al-Quds?

11 A Yes.

12 Q Is it fair to say that you don't have any
13 idea as to whether those allegations made against
14 Arab Bank in this case are true or not?

15 MR. WALSH: I object to the form of the
16 question.

17 A I have no independent information from what
18 I read in the complaints.

19 BY MR. GOELMAN:

20 Q So is it fair to say you don't know whether
21 Arab Bank actually did or did not knowingly support
22 terrorism?

23 MR. WALSH: I object to the form of the
24 question.

25 A No, I think that's leading me into

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 something that I didn't say and don't reach that
3 conclusion from what I said in the answer before.

4 BY MR. GOELMAN:

5 Q So the question is, is it fair to say you
6 don't know whether Arab Bank actually did knowingly
7 support terrorism?

8 MR. WALSH: Asked and answered.

9 A I answered the way I did because I answered
10 earlier why I was fairly convinced that the Arab Bank
11 would not be involved in this --

12 BY MR. GOELMAN:

13 Q You're --

14 A -- kind of activity.

15 Q You're willing to opine whether or not the
16 Arab Bank would or would not have supported
17 terrorism, right?

18 A Right.

19 Q But you don't know whether the Arab Bank
20 actually did or did not support terrorism?

21 MR. WALSH: I object to the form of the
22 question and the mischaracterization of the prior
23 testimony.

24 A I can't say that I know. But as I said
25 earlier, it seems to me quite clear that it would be

1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 a completely out of question for them to be involved
3 in this kind of activity.

4 BY MR. GOELMAN:

5 Q Is it true that one of the biggest funders
6 of your organization, the Middle East Policy Council,
7 is the government of Saudi Arabia?

8 A I believe the government has in the past --
9 I'm sorry. The government of Saudi Arabia has in the
10 past been a major contributor, yes.

11 Q And are you aware -- you've already
12 testified you are aware of the allegations in this
13 case involving the activities of the Saudi Committee
14 for the Support of the Intifada Al-Quds, correct?

15 A From reading the complaint.

16 Q Are you aware of the Saudi royal family's
17 involvement in the Saudi Committee for the Support of
18 the Intifada Al-Quds?

19 A No, I couldn't describe that.

20 Q Is it accurate that the Saudi government
21 owns 17 percent of the shares of Arab Bank?

22 MR. WALSH: I object to the form of the
23 question.

24 A I believe that that's the way the reporting
25 cable that we discussed earlier describes it.

1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 conversation. You may answer, sir.

3 A I -- there was Doug and Howard were the two
4 lawyers who were with me during our last -- the March
5 depositions. And I think it was just casually
6 mentioned in that conversation that they -- that the
7 agreement was for me as an expert, but that we would
8 deal with that in time. I mean, I didn't -- that's
9 why I'm not accepting your words that I was told I
10 wasn't going to get paid or I wasn't -- that I had no
11 relationship with the law firm. I assumed I still
12 did, and was told I did.

13 BY MR. GOELMAN:

14 Q I'm sorry --

15 A I assumed that I had a relationship,
16 ongoing relationship with the law firm, and I was
17 assured that I did.

18 Q What is your understanding sitting here
19 today testifying, about whether or not you were going
20 to be paid for your deposition testimony?

21 MR. WALSH: I object to the form of the
22 question.

23 A Are you asking me what I know now?

24 BY MR. GOELMAN:

25 Q Yes.

1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 A Okay. Following the deposition, and I was
3 aware even at that time, as I think everyone was at
4 the previous law firm, Dewey & LeBoeuf, was
5 dissolving, and since my relationship had been with
6 that law firm, and I think I also mentioned in my
7 previous deposition, Geoff Coll, as the person who
8 originally called me, the one who asked that I be
9 involved, he was the one that had provided me with
10 the plaintiff complaints, those sorts of things.

11 And so it was prudent on my part to call
12 him while he was still working for the law firm to
13 address the question that you're asking me, what is
14 my status and what will be done. And I was told that
15 the decision had been made across the board that
16 those agreements that had been in place would be
17 adhered to for the period of time in which we were
18 fact witnesses as well as they had been previously.

19 Q So your expectation is that you will be
20 paid the \$750 an hour for this testimony that is
21 reflected in the engagement agreement?

22 MR. WALSH: I object to the form of the
23 question.

24 A Yes.

25 BY MR. GOELMAN:

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1 GNEHM (DE BENE ESSE) - CONFIDENTIAL

2 Q And the \$500 per hour for any kind of prep
3 time that you spent?

4 A Right.

5 Q And it's true, is it not, that your work on
6 behalf of Arab Bank in this case has not caused you
7 to forego any other income?

8 MR. WALSH: I object to the form of the
9 question.

10 A No.

11 BY MR. GOELMAN:

12 Q It is true?

13 A Yes. Sorry. No, I have not had to forego
14 any other income as a result of this.

15 MR. GOELMAN: I don't have any further
16 questions. I want to thank you for your time,
17 Professor.

18 MR. WALSH: I have nothing for you,
19 Ambassador. Thank you for your time. The deposition
20 is concluded.

21 THE VIDEOGRAPHER: Here ends the video
22 deposition of Edward Gnehm. There are three disks.
23 Going off the record. The time is 14:45.

24 (Signature having not been waived, the
25 videotaped deposition of EDWARD W. GNEHM, JR. was

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A C K N O W L E D G M E N T

STATE OF)

) ss.:

COUNTY OF)

I, EDWARD W. GNEHM, JR., hereby certify that I have read the transcript of my testimony taken under oath in my deposition; that the transcript is a true, complete and correct record of my testimony, and that the answers on the record as given by me are true and correct.

EDWARD W. GNEHM, JR.

Signed and subscribed to before

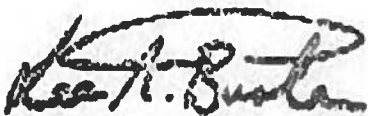
me, this _____ day of _____, 20__.

Notary Public, State of _____

C E R T I F I C A T E

I, Lee Bursten, the officer before whom the foregoing deposition was taken, do hereby certify that the foregoing transcript is a true and correct record of the testimony given; that said testimony was taken by me stenographically and thereafter reduced to typewriting under my direction; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal this 11th day of April, 2012.



Lee Bursten

NOTARY PUBLIC IN AND FOR
THE DISTRICT OF COLUMBIA

My commission expires June 30, 2014.